



# DECKER, DECKER, DITO & INTERNICOLA<sup>LLP</sup>

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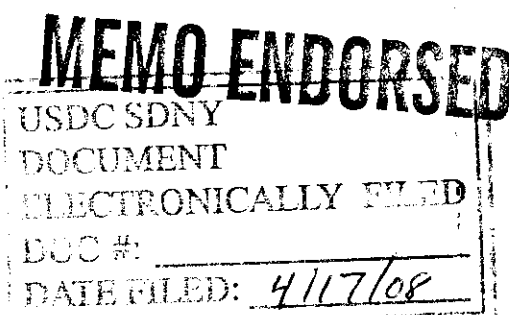
April 14, 2008

## BY FEDERAL EXPRESS

Honorable Lawrence M. McKenna  
United States District Judge  
United States Courthouse  
500 Pearl Street-Room 1640  
New York, NY 10007

Re: *Junk v. Aon Corp., et al*  
Case No.: 07-CIV-4640

Your Honor:



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APR 15 2008

LAWRENCE M. MCKENNA  
USDC SDNY

This firm is counsel to the Plaintiff in the above referenced action. This letter is submitted pursuant to Local Rule 37.2 to request an informal conference with the Court to resolve a potential discovery dispute between the parties. In particular, despite the Court's December 11, 2007 Case Management Plan and Scheduling Order, Defendant's counsel has objected to Plaintiff's discovery demands as "premature" pursuant to Fed.R.Civ.P.26(d)(1).

On December 11, 2007, Your Honor issued a Case Management Plan and Scheduling Order establishing a discovery completion date of June 30, 2007. The conference was attended by counsel for all parties and the scheduling order was issued pursuant to Fed.R.Civ.P. 16(b) after consultation concerning the nature of the case and required discovery. On March 12, 2008, I served Defendants' counsel with Plaintiff's Initial Disclosures and on April 2, 2008, after receiving Defendant's Initial Disclosures, I served Defendants' counsel with Plaintiff's discovery demands. By correspondence dated April 11, 2008, Defendants' counsel now objects to Plaintiff's demands as "premature" and demands a Rule 26(f) conference prior to the service of any discovery demands.

While I am not adverse, at any time, to conferring with opposing counsel as to any matter, I believe that counsel's demand is improper in that it conflicts with prior communications and will delay discovery. Accordingly, I respectfully request a conference to clarify this issue and so as to communicate and advise the Court as to the status of discovery and to ensure that the parties abide by the Case Management Plan and Scheduling Order.

Sincerely,

Charles N. Internicola

cc: Lori VanAuken, Esq. (By Federal Express)

*Counsel see to meet as contemplated by Rule 26 by 5/19/08 and to submit a discovery plan by 5/19/08 if possible; if not possible, counsel should then seek a conference.*

*So ordered-*

*LMM 4/17/08*